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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

OTO ANALYTICS, LLC f/k/a OTO
ANALYTICS, INC. d/b/a WOMPLY,

Petitioner,

v.

BENWORTH CAPITAL PARTNERS, LLC,

Respondent.

Case No. 3:24-cv-03975-AMO

**DECLARATION OF SIMON S. GRILLE IN
SUPPORT OF JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
DEADLINE TO RESPOND TO THE
PETITION**

Hon. Araceli Martinez-Olguin

1 I, Simon S. Grille, hereby declare under penalty of perjury:

2 1. I am a Partner at the law firm Girard Sharp LLP. I submit this declaration in support of
3 the Joint Stipulation Regarding Deadline to Respond to the Petition. I make this declaration based on my
4 own personal knowledge. If called to do so, I could and would testify to the matters contained herein.

5 2. On July 1, 2024, Womply filed its Petition to Confirm Arbitration Award and sent copies
6 to counsel for Benworth by email and mail (ECF No. 1).

7 3. On July 5, 2024, counsel for Benworth agreed to accept service of process pursuant to
8 Federal Rule of Civil Procedure 4(d)(3). *See* ECF No. 15.

9 4. On July 17–18, 2024, counsel for Womply and counsel for Benworth met and conferred
10 by email regarding the deadline to respond to the Petition.

11 5. The parties dispute the deadline for Benworth to respond to Womply's petition.
12 Womply's position is that the applicable deadline is July 19, 2024 and is agreeing to extend it to July
13 23, 2024. Benworth's position is that the applicable deadline is September 3, 2024. Both Parties reserve
14 all rights with respect to whether the deadline is July 23, 2024 or thereafter.

15 6. The stipulated deadline for Benworth to respond to the Petition is no earlier than July 23,
16 2024.

17 7. Benworth reserves its rights to seek clarification and/or further relief from this Court
18 regarding its deadline to respond to the Petition. Womply opposes any further extension of Benworth's
19 deadline to respond to the Petition.

20 8. The following scheduling modification occurred in this case:

21 a. On July 16, the Court vacated the ADR and Rule 26 discovery deadlines set by
22 the Initial Case Management Scheduling Order (ECF No. 20).

23 9. No other schedule has been entered for the case.
24

25 I declare under penalty of perjury under the laws of the United States that the foregoing is true
26 and correct. Executed this July 18, 2024 at San Francisco, California.

27 /s/ Simon S. Grille

28 Simon S. Grille